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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

UNITED STATES *ex rel.* FOOTHILLS
 ENERGY SERVICES, INC., a Colorado
 corporation,

Plaintiff,

v.

PHILADELPHIA INDEMNITY
 INSURANCE COMPANY, a Pennsylvania
 corporation; SAYERS CONSTRUCTION,
 LLC, a Texas limited liability company;

Defendants.

CASE NO. 2:19-cv-2016-KJD-DJA

**JOINT STIPULATION OF DISMISSAL
 OF ACTION WITH PREJUDICE**

1 Plaintiff, Foothills Energy Services, Inc. (“Foothills”) and Defendants, Philadelphia
 2 Indemnity Insurance Company (“Philadelphia”) and Sayers Construction, LLC (“Sayers”)
 3 (collectively, “the Parties”), by and through their attorneys, submit this Joint Stipulation of
 4 Dismissal of Action with Prejudice under Fed. R. Civ. P. 41(a)(1)(A)(ii), and state as follows:
 5

6 1. On June 28, 2022, Foothills, Philadelphia, and Sayers completed mediation and
 7 reached an agreement to settle all of Foothills’ claims in this action.

8 2. The Parties executed a Mediation Settlement Agreement, and the Parties have
 9 completed their respective obligations under the Mediation Settlement Agreement, except for
 10 dismissal of this action.

11 3. Parties may dismiss an action by filing a stipulation of dismissal signed by all
 12 parties who have appeared. Fed. R. Civ. P. 41(a)(1)(A)(ii).

13 4. The parties desire to dismiss this action, and all parties who have appeared in this
 14 action have signed this Joint Stipulation of dismissal of Action with Prejudice.
 15

16 5. Thus, by filing Stipulation, the parties dismiss the action with prejudice, each party
 17 to bear its own fees and costs except that Philadelphia does not release its attorneys’ fees, costs or
 18 claims against Sayers but rather reserves all rights and entitlements against Sayers, including, but
 19 not limited to, all rights and entitlements in any General Indemnity Agreement, including the right
 20 to recover Philadelphia’s attorneys’ fees and costs.
 21

22 Respectfully submitted, July 27, 2022

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IT IS SO ORDERED



UNITED STATES DISTRICT JUDGE

DATED: 8/5/2022